

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VIRTUAL SOLUTIONS, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendants.

Case No. 1:12-CV-1118-SAS

**DECLARATION OF ROBERT COURTNEY IN SUPPORT OF
MICROSOFT CORPORATION'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY FOR INDEFINITENESS**

I, Robert Courtney, declare as follows:

1. I am an attorney licensed to practice law in the State of California and the District of Columbia. I am an associate at the law firm of Fish & Richardson, P.C., counsel for Microsoft Corporation ("Microsoft") in this case. I make these statements based on my own personal knowledge or the regularly kept files of Fish & Richardson P.C., with which I am familiar.

2. This declaration is made in support of Microsoft's Motion for Summary Judgment of Invalidity for Indefiniteness.

3. Attached as Exhibit 1 is a true and correct copy of U.S. Patent No. 6,507,353 (filed Dec. 10, 1999), as obtained in certified form from the U.S. Patent & Trademark Office.

4. Attached as Exhibit 2 is a true and correct copy of excerpts from the prosecution history of U.S. Patent No. 6,507,353, as obtained from the U.S. Patent & Trademark Office web site.

5. Attached as Exhibit 3 is a true and correct copy of Virtual Solutions's preliminary infringement contentions in this case, as served on Microsoft June 22, 2012.

Respectfully submitted,

Dated: October 12, 2012

/s/ Robert Courtney
Robert Courtney